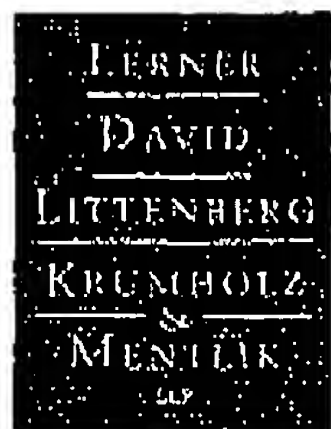


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PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

William A. Di Bianca  
908.518.6340  
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October 28, 2008

Commissioner For Patents  
Office of Initial Patent Examination  
Customer Service Center  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Our File: SPINE 3.0-437 CIP CIP CIP CIP CIP CIP I CON V  
Application No. 10/663,486  
Filing Date: September 16, 2003  
Group Art Unit: 3738

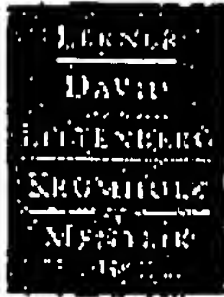
Dear Sir:

We are enclosing herewith a copy of a corrected filing receipt dated September 26, 2008 for the above-identified patent application.

Please note that the filing receipt is incorrect. Please insert the following under Domestic Priority data as claimed by applicant:

This application is a CIP of 10/282,356 filed 10/29/02 PAT. 7,169,182  
This application is a CIP of 10/309,585 filed 12/4/02 PAT. 7,115,132  
This application is a CIP of 10/425,267 filed 4/29/03 PAT. 7,235,081  
and said 10/282,356 filed 10/29/02 PAT. 7,169,182  
is a CIP of 10/256,160 filed 9/26/02 PAT. 6,989,032  
and said 10/309,585 filed 12/4/02 PAT. 7,115,132 and 10/425,267 filed 4/29/03 PAT. 7,235,081  
are CIP applications of 10/282,356 filed 10/29/02 PAT. 7,169,182  
and said 10/256,160 filed 9/26/02 PAT. 6,989,032  
is a CIP of 10/175,417 filed 6/19/02  
and said 10/175,417 filed 6/19/02  
is a CIP of 10/151,280 filed 5/20/02  
and said 10/151,280 filed 5/20/02  
is a CIP of both 09/970,479 filed 10/4/01 PAT. 6,669,730 and 10/140,153 filed 5/7/02  
and said 09/970,479 filed 10/4/01 PAT. 6,669,730  
is a CIP of 09/968,046 filed 10/1/01  
and said 10/140,153 filed 5/7/02  
is a CIP of both 09/970,479 filed 10/4/01 PAT. 6,669,730 and 10/128,619 filed 4/23/02 PAT. 6,863,689  
and said 10/128,619 filed 4/23/02 PAT. 6,863,689  
is a CIP of both 09/906,119 filed 7/16/01 PAT. 6,607,559 and 09/982,148 filed 10/18/01 PAT. 6,673,113

915719\_1.DOC



Commissioner For Patents  
Office of Initial Patent Examination  
October 28, 2008  
Page 2

Kindly issue a corrected filing receipt for the above-identified application as soon as possible.

Sincerely yours,

LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP

WILLIAM A. DI BIANCA  
Reg. No. 58,653

WAD/kj  
Enclosures

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OF 371(c) DATE	GRP ART UNIT	FIL FEE RECD	ATTY DOCKET NO	TOT CLAIMS	IND CLAIMS
10/663,486	09/16/2003	3738	375	SPINE 3.0-437 PPPPPP1CV	10	2

CONFIRMATION NO. 2428

CORRECTED FILING RECEIPT

51640  
SPINE MP  
LERNER, DAVID, et al.  
600 SOUTH AVENUE WEST  
WESTFIELD, NJ 07090



Date Mailed: 09/26/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

## Applicant(s)

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Rafael Zubok, Midland Park, NJ;

Power of Attorney: The patent practitioners associated with Customer Number 000530

## Domestic Priority data as claimed by applicant

This application is a CON of 10/282,356 10/29/2002 PAT 7,169,182  
and is a CON of 10/309,585 12/04/2002 PAT 7,115,132  
and is a CON of 10/425,267 04/29/2003 PAT 7,235,081  
and said 10/309,585 12/04/2002  
is a CIP of 10/282,356 10/29/2002 PAT 7,169,182  
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which is a CIP of 10/256,180 09/26/2002 PAT 6,989,032  
which is a CIP of 10/175,417 06/19/2002  
which is a CIP of 10/151,280 05/20/2002  
which is a CIP of 09/970,479 10/04/2001 PAT 6,669,730  
and is a CIP of 10/140,153 05/07/2002 ABN  
and said 09/970,479 10/04/2001  
is a CIP of 09/968,046 10/01/2001 ABN  
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and is a CIP of 10/128,619 04/23/2002 PAT 6,863,689  
which is a CIP of 09/908,119 07/16/2001 PAT 6,607,559  
and is a CIP of 09/982,148 10/18/2001 PAT 6,673,113

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#### Foreign Applications

If Required, Foreign Filing License Granted: 12/08/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/663,486**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No  
Title

INTERVERTEBRAL SPACER DEVICE HAVING RECESSED NOTCH PAIRS FOR MANIPULATION  
USING A SURGICAL TOOL

#### Preliminary Class

623

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

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countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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